

Frederick County Community Development Division Staff Report

Frederick County Water and Sewerage Plan Amendments

Planning Commission Review – September 18, 2013

Summer 2013 Cycle Amendment Requests

WS 13-05 Jefferson Valley, LLC
WS-13-06 Division of Community Development
WS-13-07 Division of Community Development
WS 13-08 Jefferson Park Development, LLC
WS-13-09 Matan Acquisitions, LLC
WS-13-10 Oakdale Investments (Alpine Village/Northern Linganore Town Center + infrastructure symbols on Water/Sewer Map)
WS-13-11 Oakdale Investments (Hamptons East and West Villages)
WS-13-12 Oakdale Investments (Woodridge/Westridge Villages)
WS-13-13 Crum Farm Land Development

ISSUE

The Planning Commission is requested to review the amendment requests for a finding of consistency with the County Comprehensive Plan.

BACKGROUND

The purpose of the Planning Commission's review is to determine whether each amendment request is consistent with the County Comprehensive Plan. The Land Use Article of the Annotated Code of Maryland defines consistency with the comprehensive plan as addressing the location, character, and extent of the request. A finding with regards to consistency may reference the comprehensive plan map and the text document, specifically the goals and policies. For properties located within a municipality the municipal comprehensive plan and municipal land use plan designation is referenced.

A finding of consistency does not reference whether a case meets the specific criteria, described in the Water and Sewerage Plan, for the requested classification. That determination is made by the Board of Commissioners in their review.

If the Planning Commission finds a request to be inconsistent with the comprehensive plan then the request is not forwarded to the Board of Commissioners.

RECOMMENDATION

Staff recommendations are noted in the individual case descriptions.

IV. COUNTY WATER AND SEWERAGE PLAN CLASSIFICATION SYSTEM

A. General

A classification system has been established for properties that will be served by publicly owned community water and sewer systems. The classification system reflects a progression toward the attainment of public water and sewer service so as to implement the County Water and Sewerage Plan, as well as County or municipal Comprehensive Plans.

The classification system is designed to show need and intent of the County, its municipalities and the private developer for establishing or extending publicly-owned community water and sewer systems.

Classifications which indicate anticipated improvements within the next six (6) years should be part of an action plan to be implemented within the constraints of funding and various required agreements and approvals. The classification system is not intended to prevent development of publicly-owned community water and/or sewerage systems or facilities prior to or later than the time periods indicated; rather it is the best estimate at the time of adoption as to when such development may be expected to occur. Every effort should be made by the County, municipalities, and developers to progress with water and sewer projects to the point that construction may occur in accordance with the Plan. However, after having achieved one level, there is no guarantee that the next level classification will be granted.

B.. Water and Sewerage Plan Classifications:

Tracts of land where publicly-owned community water and/or sewer facilities are proposed to be extended by developers or where the County or municipalities anticipate that development may occur within 20 years may be assigned a classification with the suffix "Development" or "Dev.". A "Dev." designation means that the extension or construction of publicly-owned community systems or facilities is dependent upon developer or land owner action and funding.

The year of adoption of a piecemeal Water and Sewerage Plan amendment is noted within the water and sewer classification designations for properties in 4 and 3 categories, (e.g. 90-S-3 means the sewer priority classification of S-3 was approved by the County in 1990).

NPS – No Planned Service:

A classification assigned during the Comprehensive Planning Process to land, which is not planned or projected to be served by publicly-owned community water or sewer systems within the timeframe of the current County Comprehensive Plan.

PS – Planned Service:

A classification assigned during the Comprehensive Planning Process to an area shown on the Comprehensive Plan for growth utilizing publicly-owned community water and/or sewer systems, or within the Community Growth boundary of a community to be served by public water and sewer in the adopted County Comprehensive Plan, within the 11-20 year time period. Properties within this classification have designations other than

This classification may be assigned through the piecemeal application process as follows:

(1) To property annexed into a municipal corporation, and/or to property which is designated other than Agricultural/Rural or Natural Resources on the County Comprehensive Plan and which is adjacent to property which has a classification of PS or higher for public water and/or sewer. For purposes of this provision, a parcel which is separated from another parcel by a public or private road shall be deemed to be 'adjacent' to such parcel.

(2) A developer funded study must be completed as part of the request for a PS classification, and approved by the DUSWM, to determine if adequate capacity exists in the sub-regional water or wastewater treatment system to serve properties outside the system's current service area. This study must also analyze water treatment or wastewater treatment system expansion needs and constraints, including costs estimates, and any additional groundwater appropriation and National Pollutant Discharge Elimination System (NPDES) discharge permit revisions from the State of Maryland.

S-5/W-5 – Mid-Range Plan Phase:

A classification assigned through the Comprehensive Planning Process where improvements to, or construction of, publicly-owned community sewerage or water systems are planned within the 7-10 year time period. Properties classified S-5/W-5 are not required to, but may, connect to the community system. Properties requesting this classification shall meet the following criteria:

- a. Have a land use plan designation other than Agricultural/Rural or Natural Resource on the County Comprehensive Plan.
- b. Have zoning other than Agricultural or Resource Conservation.
- c. If located within a municipality where the municipality provides community water and sewer, the property shall be designated in the municipal plan to be provided services in the 7-10 year time frame.
- d. Be located within a Planned Service Area as shown on the Frederick County Water and Sewerage Plan map.
- e. Demonstrate that there is sufficient capacity planned in the systems serving the property within the 7-10 year period.

This classification may be assigned through the piecemeal application process to property:

- 1) Annexed into a municipal corporation; or
- 2) Granted a Planned Unit Development (PUD) or Mixed Use Development (MXD) floating zone classification; or
- 3) Having an existing PS classification and requesting a connection(s) to a sub-regional water or wastewater treatment system; or
- 4) Possessing Institutional (Ie) zoning as of April 8, 2010 and immediately adjacent to denied access water or sewer infrastructure lines, provided all criteria in Section II E(7)(F) are satisfied; or
- 5) Zoned Agricultural, if all the criteria set forth above and in Section II (E)(8) are satisfied; or

- 6) To provide public water and/or sewer service to Public Service Facilities, if applicable criteria in Section II(E)(8) are satisfied.

S-4/W-4 – Concept Evaluation Phase:

A classification assigned through the piecemeal application process to properties having an S-5/W-5 classification, and designated residential, commercial, or industrial, or in general, a category other than Agricultural/Rural or Natural Resource on the most recently adopted County Comprehensive Plan, and where improvements to, or construction of, publicly-owned community sewerage or water systems are planned within the 4-6 year time period. Properties classified S-4/W-4 shall connect to the public system when service lines abut the property. Properties requesting this classification shall meet the following criteria:

- a. The criteria required for the S-5/W-5 classification have been met.
- b. The application shall include documents that show conceptually how the applicant plans extensions of water and sewer lines to serve the property, including topographic information from appropriate sources and an estimate of construction costs. Water concept submissions shall consider the County's water pressure zones to develop the concept, e.g., water booster pumping stations or pressure reducing valves. Sewerage concepts shall consider gravity service as the preferred method (see II (E) (5)(E)). All concept plans shall distinguish between County planned and developer provided facilities.
- c. Adequate capacity shall exist or be programmed within the County or a municipal CIP for the system, which will serve the site. If adequate capacity does not exist, the property owner will either wait for public improvements to be programmed or propose how such service can be provided by the developer/applicant.
- d. After an S-4/W-4 classification has been granted, an application may be submitted to the Maryland Department of the Environment for Water and/or Sewerage construction permits, as applicable.

S-3/W-3 – Preliminary Design Phase:

A classification assigned through the piecemeal application process to properties where improvements to, or construction of, publicly-owned community sewer or water systems are planned to be completed and operational within 3 years. If applicant has not obtained approved water and sewer improvement plans for onsite work within three years or the Preliminary Plan/Site Plan/Phase II Plan expires, they may lose their “3” classification and revert to the “4” classification at the next amendment cycle. Properties classified S-3/W-3 shall connect to the public system when service lines abut the property. Properties requesting this classification shall meet the following criteria:

- a. Criteria required for the S-4/W-4 classification have been complied with.

- b. Applicant shall provide a study of the components of the existing water and wastewater system and identify inadequacies that may result from the development of the property. This study may be performed in conjunction with the *Adequate Public Facilities Ordinance* (APFO) studies.
- c. A preliminary subdivision plan, site plan, or Phase II Plan (in the case of PUDs and MXDs) has been approved by the Planning Commission.
- d. A discharge permit, where appropriate, has been approved by all appropriate State agencies.
- e. A hydrogeologic study, where appropriate, supports the establishment of a community water system, which will not be detrimental to adjoining wells or surface waters. The hydrogeologic study is typically required to appropriate both ground (well) or surface waters. A Water Appropriation and Use Permit, where appropriate, has been approved by all appropriate State agencies.
- f. If County funded CIP project(s) are needed to provide service, then construction funds for each project must be contained in the first or second year of the County's approved CIP.
- g. If service is to be provided by developer initiated and funded projects, the developer must have approved and signed water/sewer improvement plans and an approved cost proposal for all improvements required to bring adequate water and sewer service to the site. This "service to the site" requirement is considered "met" if adequate water and sewer lines about the site and are located within a public right-of-way or a public water/sewer easement which about the site.
- h. Satisfaction of Items f. and g. will create a rebuttable presumption in favor of the applicant that service will be available within 3 years.

S-2/W-2 – Engineering Phase:

This classification is not mapped. Properties are assigned this category by County staff and shall meet the following criteria:

- a. All criteria required for the S-3/W-3 classification have been complied with.
- b. Improvement plans for water and sewer lines and preliminary design of treatment plants and other infrastructure, as appropriate, have been approved.
- c. Location of facilities, i.e. tanks, pumping stations, treatment plants have been located on the Water and Sewerage Map by prior amendment.
- d. Properties classified S-2/W-2 shall connect to the publicly owned system when service lines about the property.

During the S-2/W-2 phase, final construction design drawings and documents are prepared, rights-of-way are determined and the necessary

acquisitions are pursued, various construction related permits are applied for and obtained, a public works agreement, allocation of taps including multi-year tap agreements and improvement guarantees are approved. Final plats may then be recorded, where appropriate.¹

S-1/W-1 – Existing Service:

A classification assigned to properties where publicly-owned community sewer or water systems are existing and are connected to and serving a structure on the property. Properties are assigned this classification by County staff to reflect projects recently completed or structures connected to the public water or sewer system. The County Water and Sewerage Plan map will be revised to reflect this status at regular updates.

Multi-Use Water System:

A classification assigned during the piecemeal application process to a single parcel or lot utilizing a water supply system having the capacity to supply more than 5,000 gallons of water per day and serves a number of individuals.

Multi-Use Sewerage System:

A classification assigned during the piecemeal application process to a single parcel or lot having a maximum discharge or output capacity in excess of 5,000 gallons per day.

¹ See Sec. 1-16-106 of the County Code for additional requirements.

STAFF REPORT

Case # WS-13-05

APPLICANT: Jefferson Valley, LLC

REQUEST: To reclassify 60 acres from W-4/Dev., S-4/Dev. to W-3/Dev., S-3/Dev. and to reclassify 26.4 acres from W-5/Dev., S-5/Dev. to W-3/Dev., S-3/Dev.
Total request: 86.4 acres of W-3/Dev., S-3/Dev.

LOCATION: North side of MD 180, Jefferson Pike, east of Broad Run Road
(Tax Map 84, Parcel 120. Property ID#14-315780)

BACKGROUND:

Comprehensive Plan — The property is designated Low Density Residential and Village Center within the Jefferson Community Growth Area.

Zoning — R-3 Residential (86.4 acres) and Agricultural (50 acres)

Development Status — The Planning Commission granted conditional preliminary subdivision plan approval on June 12, 2013 for 194 single-family lots on the portion of the subject property zoned R-3 Residential plus three (3) additional lots in the Agricultural zoning district.

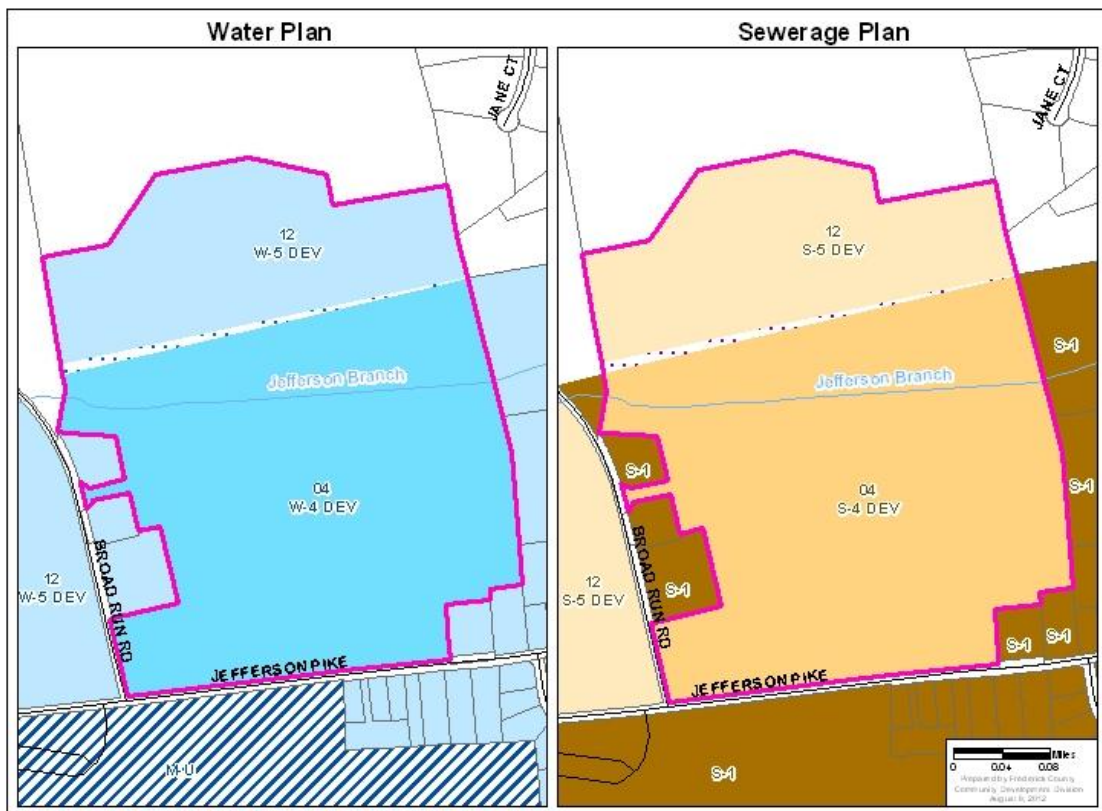
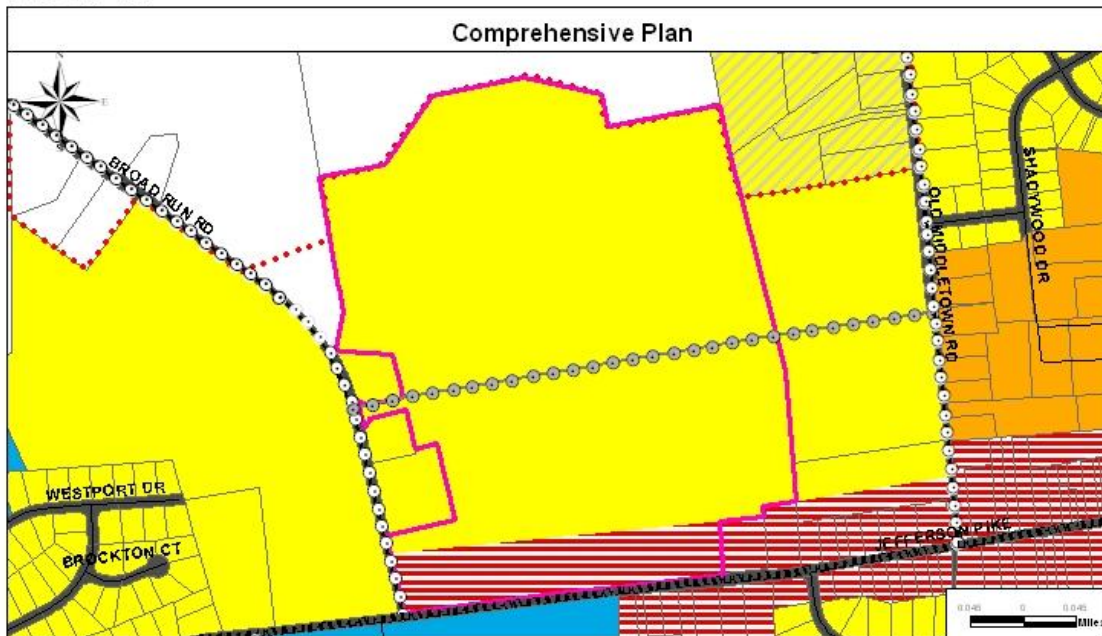
Water & Sewerage Plan Status — Water is conveyed through a 10-inch line on MD 180, sourced from the existing public supply wells/treatment system in the adjacent subdivision of Copperfield. This existing 10-inch water line will be extended to serve the subject properties. Additional water infrastructure system improvements for the project include the construction of an elevated storage tank, extension of raw water piping from the new public wells, and improvements to the existing Copperfield water system. The Maryland Department of the Environment approved four (4) wells for the subject property through Groundwater Appropriate and Use Permit FR2004G003(02) in December 2011. These new well symbols have been documented on the water infrastructure map as described in Case WS-13-06.

Sewer service for property will be provided through access to the existing 10-inch sewer line present within the stream valley on the subject property, with ultimate flow to the Jefferson wastewater treatment plant located to the west in the Copperfield subdivision.

Staff notes that the subdivision and APFO approvals mandate that the location of the future houses on the three (3) lots in the agricultural zone be located within the water and sewer service area with subsequent connection to the public systems. An existing 46-acre water recharge easement is applied on the Agriculturally-zoned portion of the subject property, and precludes additional groundwater extraction wells in this recharge area.

STAFF RECOMMENDATION:

The subject property is located within a community growth area and within a water and sewer service area. Staff recommends the Planning Commission make a finding of consistency with the County Comprehensive Plan for Case WS-13-05.



WATER & SEWERAGE PLAN AMENDMENTS
Summer 2013 Cycle

STAFF REPORT

Case # WS-13-06

APPLICANT: Division of Community Development

REQUEST: To update the County Water and Sewer Infrastructure Map

BACKGROUND:

The County's Water and Sewerage Plan consists of two main components: 1) the text document which contains the policies, procedures and requirements for the provision of public water and sewer service; and 2) the water and sewer map that depicts each property's water and sewer category (NPS, PS, 5, 4, 3, 1 or Multi-Use) as well as the physical constituents of the public water and sewer treatment, conveyance and distribution system such as lines, treatment plants, pump stations and storage tanks. The structure and content of each county's Water and Sewerage Plan are specified in the Code of Maryland Regulations (COMAR, 26.03.01, Planning for Water Supply and Sewerage Systems) and administered by the Maryland Department of the Environment.

Staff has undertaken an update and revision to the County's water and sewer map and is proposing additions and deletions as described below. A list of the specific changes to the maps is attached to the application for this amendment.

Additions to the Water and Sewer Map address future infrastructure or capacity needs indicated by the County Comprehensive Plan or municipal plans or prior facilities/infrastructure not adequately depicted on the maps.

Deletions from the Water and Sewer Map reflect facilities never constructed or facilities/infrastructure determined not to be required components of the water and sewer system due to changes in Community Growth Areas, land use designations on the County Comprehensive Plan or municipal plans, system integration, or to simply address historical inaccuracies on the maps.

STAFF RECOMMENDATION:

Staff recommends the Planning Commission make a finding of consistency with the County Comprehensive Plan for Case WS-13-06.

WATER & SEWERAGE PLAN AMENDMENTS
Summer 2013 Cycle

STAFF REPORT

Case # WS-13-07

APPLICANT: Division of Community Development

REQUEST: To amend Section III (Review and Amendment Procedures) of Chapter 1 to clarify: 1) The piecemeal application process for properties zoned Agricultural or planned for Ag./Rural or Natural Resources; 2) The piecemeal application process and its relation to Denied Access Policies.

BACKGROUND:

The Water and Sewerage Plan affords properties zoned Agricultural or designated Agricultural/Rural or Natural Resources limited opportunities to connect to public water and/or sewer service under certain conditions in specific circumstances. The 2011 Triennial update of the Water and Sewerage Plan was intended to carry over, from the 2008 Triennial update of the Water and Sewerage Plan, the eligibility criteria for Ag. zoned and designated properties to connect public water and sewer service. However, a typographical error occurred, which left out the reference to certain criteria.

Specifically, the clause in the 2011 Plan that allows an application for a piecemeal reclassification amendment for properties designated Agricultural/Rural or Natural Resources referenced the wrong section ('Denied Access Lines') in Chapter 1 of the Plan. Instead of referencing Section II (E)(7), Section II (E)(8) was referenced. Staff is proposing a revision to the Water and Sewerage Plan text to reestablish and reference the correct section of the Plan under which Ag zoned or planned properties can utilize the approved policies in "Denied Access Lines" and apply for a piecemeal amendment.

The proposed change revises Section III (B)(3)(c)—Piecemeal Application Process---as shown below, to replace the reference to Section II (E)(8) (Service to Properties Zoned or Planned for Agricultural/Rural or Natural Resource) with the correct reference to Section II (E)(7) (Denied Access Lines). This change makes the 2011 Plan language consistent with the text of the 2008 Plan.

III. REVIEW AND AMENDMENT PROCEDURES

B. Amendment Procedures

(3) Piecemeal Application Process:

- (a) Applications for amendments to the Water and Sewerage Plan for Frederick County, including its incorporated municipalities, may be submitted at any time. Applications received are processed in three cycles, Spring (deadline March 31st), Summer (deadline July 31st), and Fall (deadline November 30th).

The County Commissioners may at their discretion initiate amendments to the Water and Sewerage Plan outside of the tri-annual review sequence when necessary; (i) To allow service to an existing structure from an existing system when a potential health hazard has been declared by the Health Department, or (ii) To allow requests submitted by a government agency or for capital projects to proceed.

- (b) Applications for proposed amendments to the County Water and Sewerage Plan and supporting documents, shall be submitted to the Frederick County Community Development Division, 30 North Market Street, Frederick, Maryland, 21701.
- (c) Requests for amendments to provide service to properties with a land use plan designation of Agricultural/Rural or Natural Resource on the County Comprehensive Plan are not in conformance with the County Comprehensive Plan and will not be accepted, unless service is permitted pursuant to Section II. E. 8. **7.**

Requests for amendments to provide service to properties zoned Agricultural will not be accepted unless service is permitted pursuant to Section II. E. 8.

II. GOALS AND POLICIES FOR WATER AND SEWER PLANNING

E. General Policies. The following policies will be used to accomplish the stated goals in the Water and Sewerage Plan and guide the implementation of the Water and Sewerage Plan:

7. Denied Access Lines

In order to properly regulate development and direct growth to appropriate locations in accordance with the Frederick County Comprehensive Plan, properties designated Agricultural/Rural or Natural Resource on any Comprehensive Plan will not be permitted to access lines identified as "Denied Access" on the official Water and Sewerage Plan Map except under the following conditions:

- (A) To provide service to areas programmed for water and sewer service on the Water and Sewerage Plan Maps and County Comprehensive Plan.
- (B) To provide service to an existing residence or farm operation which is located on

the property adjoining the right-of-way containing the line and which was an existing use as of the date the denied access line was approved on the Water and Sewerage Plan Maps.

- (C) To provide service to properties where a written agreement with the County, executed prior to the creation of the denied access designation, obligated the County to permit access to the particular line to provide service to a specific property.
- (D) To provide service to areas where the Health Department determines access is necessary to solve an existing Health related problem and the County Commissioners agree to permit access to the line.
- (E) To provide service to Public Service Facilities
- (F) Any change to the status of all or a portion of a denied access line will require consistency with the Comprehensive Plan and an amendment to the Water and Sewerage Plan as described in the "Review and Amendment Procedures" of this Plan.
- (G) Properties that have Institutional (Ie) zoning as of April 8, 2010 and are immediately adjacent to denied access water or sewer infrastructure lines may connect to the denied access lines if: (1) A developer-funded study determines, and the DUSWM confirms, that adequate capacity exists (or adequate capacity if programmed within the County CIP) to serve the institutional use, and; (2) Water and Sewer infrastructure connections can be made in conformance with the Water and Sewer Rules and Regulations. For the purposes of this subsection, properties shall be considered "immediately adjacent to denied access water or sewer infrastructure lines" if the denied access lines are located: (1) on the subject property, or (2) within the adjacent public rights-of-way, or (3) within 150 feet of the boundary of the subject property and the applicant secures all easements necessary to bring the lines to the subject property.

8. Service to Properties Zoned or Planned for Agricultural/Rural or Natural Resource.

Publicly-owned community water and sewer service is generally not planned for areas designated Agricultural/Rural or Natural Resource on the County Comprehensive Plan. Applications to amend the Water and Sewerage Plan classification for such areas to a classification other than "NPS" (No Planned Service) will not be accepted, except as provided below.

Agricultural zoned properties may apply for reclassification for connection to publicly-owned community water and sewer service if conditions listed in (A) or (B) or (C) below are met:

- (A) The property is within a Community Growth Area, in an area planned for publicly-owned community water and sewer service on the Comprehensive Plan and;
 - (1) Adequate capacity exists in lines and/or treatment facilities; and
 - (2) Service is restricted to uses allowed in the Agricultural zone.

- (B) The property designation on the Comprehensive Plan is a category other than Agricultural/Rural or Natural Resource; and
 - (1) Adequate capacity exists in lines and/or treatment facilities; and
 - (2) Service is restricted to uses allowed in the Agricultural zone.
- (C) The property is used or proposed for use as a Public Service Facility, and adequate capacity exists in lines and/or treatment facilities.

STAFF RECOMMENDATION:

Staff recommends the Planning Commission make a finding of consistency with the Comprehensive Plan for Case WS 13-07.

WATER & SEWERAGE PLAN AMENDMENTS
Summer 2013 Cycle

STAFF REPORT

Case # WS-13-08

APPLICANT: Jefferson Park Development, LLC

REQUEST: To reclassify 173 acres from W-4/Dev., S-4/Dev. to W-3/Dev., S-3/Dev.

LOCATION: The parcels bounded by MD 180 to the north, US 340 on the south and I-70 to the east. (Tax Map 76, Parcels 108, 109, and 568 [lots 1 and 2]. Property ID#23-438798, 23-439565, 23-458012, 23-458020)

BACKGROUND:

Comprehensive Plan — The properties are designated Office/Research/Industrial (ORI)

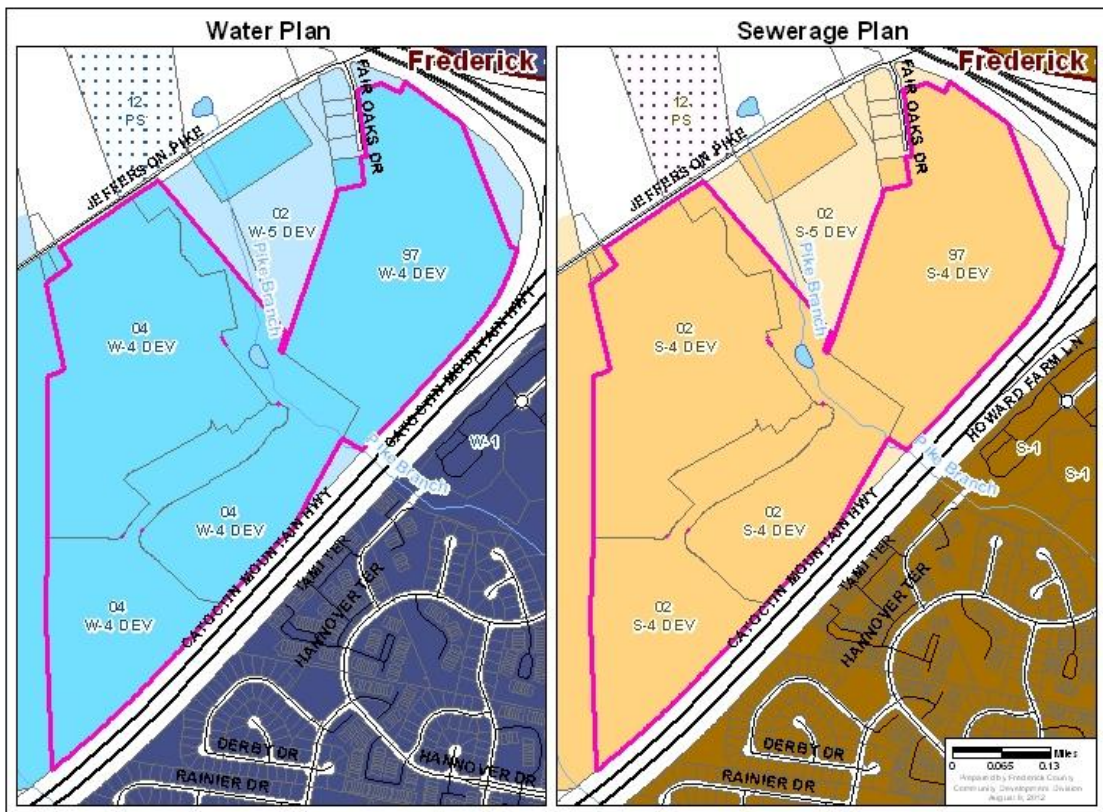
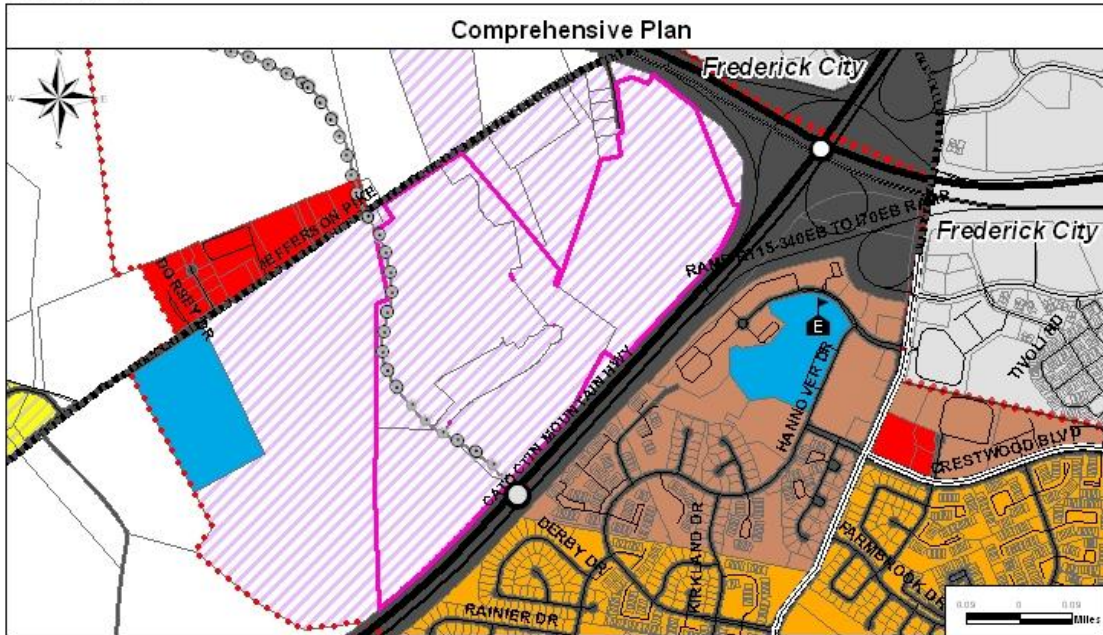
Zoning — Mixed-Use Development (MXD) and Office/Research/Industrial (ORI)

Development Status — The Jefferson Technology Park first received Preliminary Plan approval in December 2005, which is valid until December 14, 2013, for 825 residential units, 125,000 square feet of commercial space, and 1,375,000 square feet of employment uses including a hotel and conference center. On August 14, 2013 the Planning Commission granted conditional site plan and preliminary plan approval for the residential portion of the project, consisting of 825 units with apartments, condominiums and townhomes.

Water & Sewerage Plan Status — Sewer service for the property will be provided by an extension of an existing 18-inch line from the adjacent Hannover/Ballenger Creek subdivisions under US 340. Public water provision to the subject property includes construction of a 16-inch water line from the existing Hannover storage tank, under US 340 to run north east towards the planned elevated water tank ('Ballenger Zone 2 Water Storage Tank') in the vicinity of Fair Oaks Drive, near MD 180. Other water infrastructure required for the project includes improvements to the Hannover Booster Pump Station plus the actual construction of the Ballenger Zone 2 Water Storage Tank. All of the water system improvements are County CIP projects, except for the developer-funded improvements to the Hannover Booster Pump Station.

STAFF RECOMMENDATION:

The subject properties are designated Office/Research/Industrial and located within a community growth area and a water and sewer service area. Staff recommends the Planning Commission make a finding of consistency with the County Comprehensive Plan for Case WS-13-08.



WATER & SEWERAGE PLAN AMENDMENTS
Summer 2013 Cycle

STAFF REPORT

Case # WS-13-09

APPLICANT: Matan Acquisitions, LLC

REQUEST: To reclassify 22 acres from W-5/Dev., S-5/Dev. to W-3/Dev., S-3/Dev.

LOCATION: The south side of MD 355, east of MD 80 in Urbana. (Tax Map 96, Parcel 60. Property ID# 07-196210)

BACKGROUND:

Comprehensive Plan — The property is designated Mixed-Use.

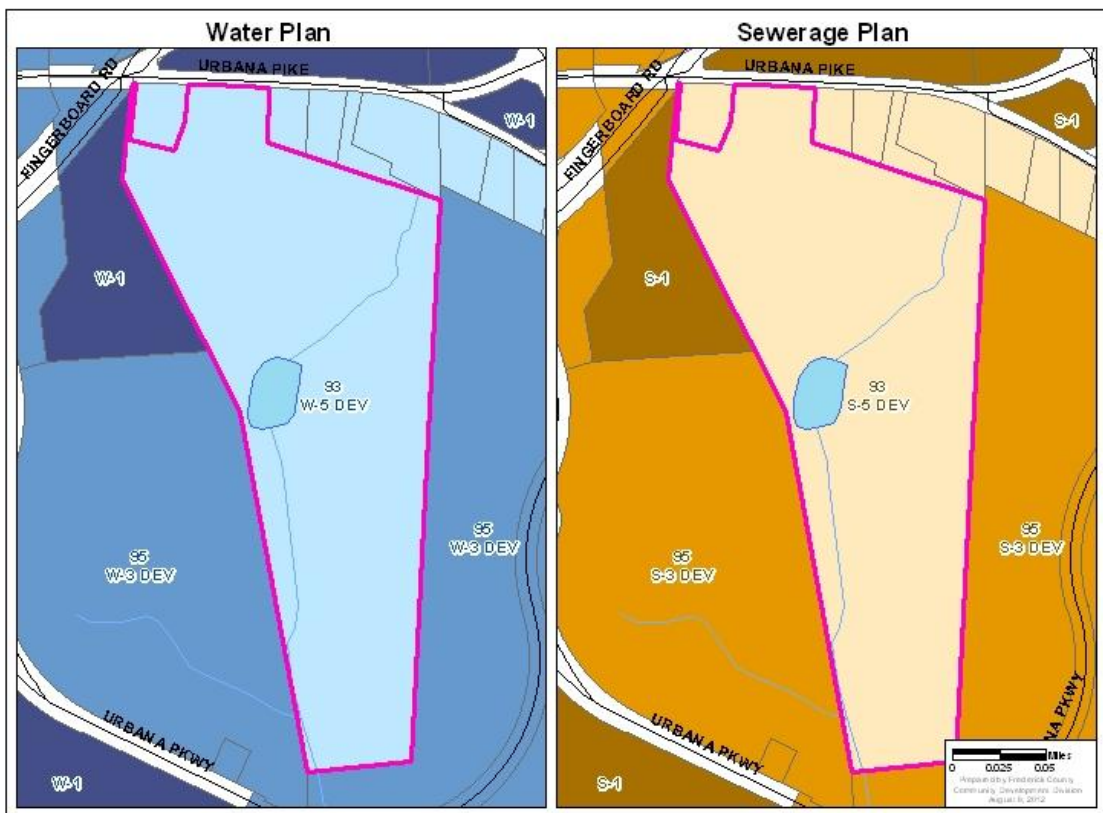
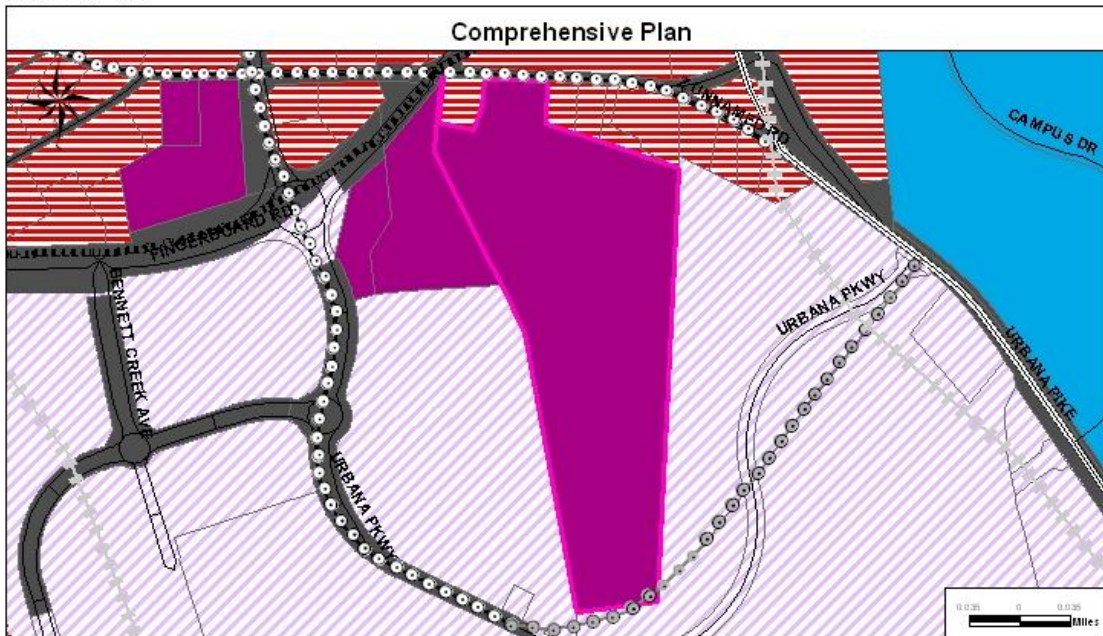
Zoning — Mixed-Use

Development Status — The project, Urban Green, received Concept Plan approval from the Planning Commission on March 13, 2013 for 352 residential units in ten (10) multi-unit structures plus 14,900+/- square feet of commercial uses. Subsequent Site Plan approval from the Planning Commission on August 14, 2013 retained the 352 residential units plus 14,900+/- square feet of commercial uses, but reduced the number of multi-unit structures to nine (9). Section 1-19-7.520 of the Zoning Ordinance requires Concept Plan approval for development projects in the MX zone prior to Site Plan approval.

Water & Sewerage Plan Status — Public water service for the project will be provided through an eastward extension of an existing 8-inch water line at MD 355 and MD 80 to the subject property. The proposal for sewer service includes a private sewer pump station on site, a force main, and construction of 10- inch sewer line on the adjacent property to the north, plus upgrades of existing 8-inch sewer lines to 10-inch lines in the vicinity of MD 80 and Worthington Boulevard. The Applicant will be required to secure approved and signed improvement plans for the planned and proposed water and sewer infrastructure for this property.

STAFF RECOMMENDATION:

The subject property is designated Mixed-Use and located within a community growth area and a water and sewer service area. Staff recommends the Planning Commission make a finding of consistency with the County Comprehensive Plan for Case WS-13-09.



WATER & SEWERAGE PLAN AMENDMENTS
Summer 2013 Cycle

STAFF REPORT

Case # WS-13-10

APPLICANT: Oakdale Investments, LLC

REQUEST: To reclassify 122 acres from Planned Service (PS) to W-4/Dev., S-4/Dev. for the Alpine Village plus depiction of two (2) water booster pump symbols [Alpine, Aspen Villages], an elevated water storage tank [Alpine Village], plus depiction of planned replacements of sewer lines and interceptors on the Water and Sewer Map.

LOCATION: South side of Lake Linganore in the Alpine Village and Northern Town Center portion of the Lake Linganore PUD. (Tax Map 78, Parcel 715, Property ID# 27-519237 and 27-517315; Tax Map 79, Parcel 6, Property ID# 27-519172)

BACKGROUND:

Comprehensive Plan — The properties are designated Low Density Residential and Natural Resource on the County Comprehensive Plan.

Zoning — Planned Unit Development (PUD)

Development Status — The 2012 revisions to the 2010 County Comprehensive Plan included the application of a Low Density Residential (LDR) land use plan designation to the subject properties, except for a 150-foot wide strip along the entire south side of Lake Linganore that remains Natural Resource on the Comprehensive Plan.

The subject properties were granted Phase I Planned Unit Development (PUD) approval by the Board of County Commissioners (BOCC) on June 18, 2013 for development of up to 300 residential units, as part of case R-12-01 which rezoned 950 acres from Resource Conservation and Agricultural to PUD. An accompanying Development Rights and Responsibilities Agreement (DRRA) was approved by the BOCC for this particular area as well as the entire portion of the Lake Linganore project that remains undeveloped. Adequate Public Facilities Ordinance (APFO) approval was also obtained in conjunction with the DRRA for the entire Lake Linganore project.

Water & Sewerage Plan Status — As part of the 2012 revisions to the County Comprehensive Plan, the accompanying water and sewer classification on the subject properties was changed from No Planned Service (NPS) to Planned Service (PS) to reflect the application of the LDR land use plan designation. Staff notes that the 150-ft wide buffer along Lake Linganore remains

No Planned Service due to its land use designation of Natural Resource (and Open Space on the PUD Phase I Concept Plan) and is not included in the amendment request.

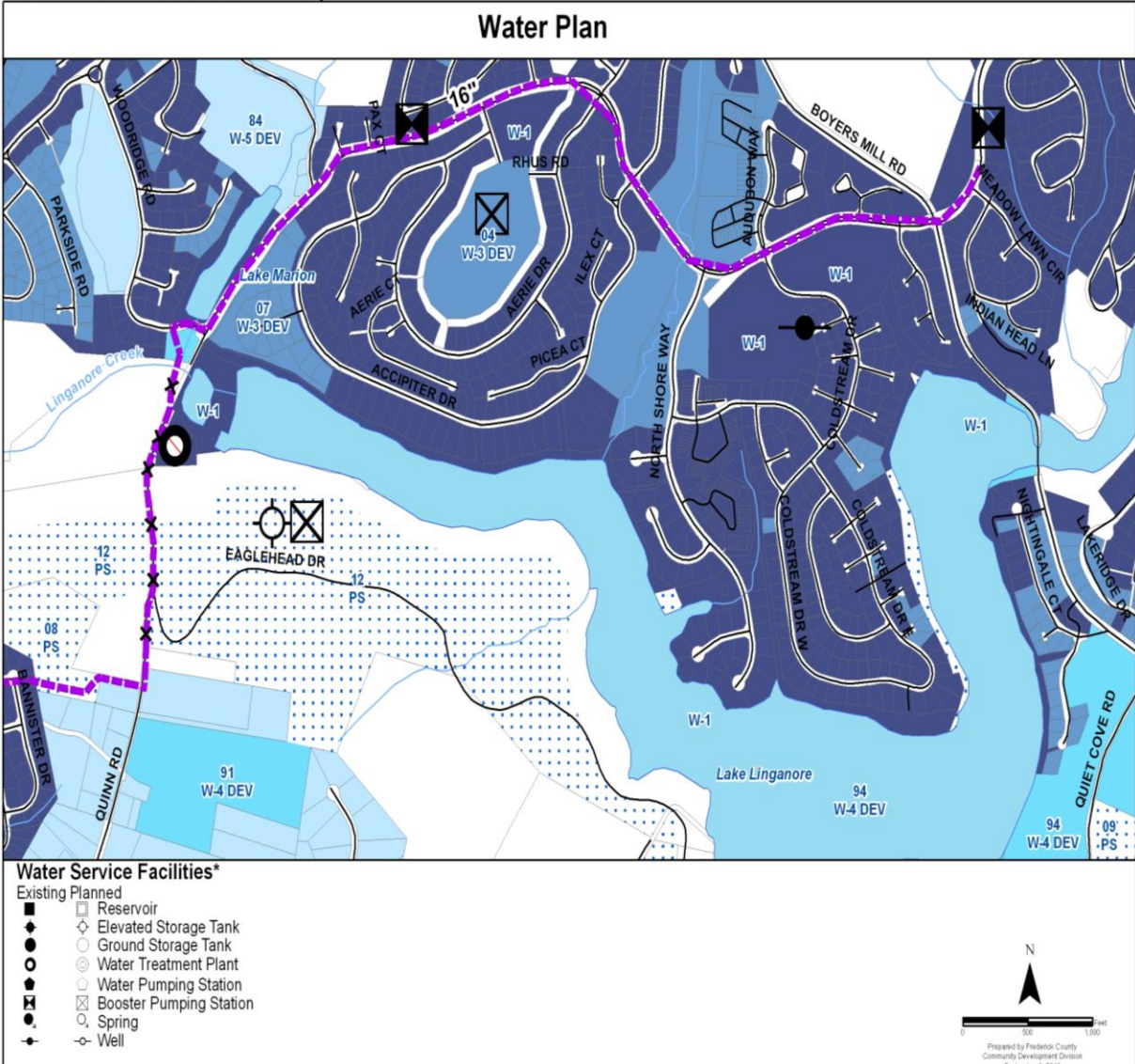
Significant infrastructure is required to provide public water and sewer service to Alpine and Northern Town Center, as well as the remaining lands approved for development in the Liganore PUD. These specific improvements are described in detail within the DRRA and APFO Letter of Understanding, including the sequencing of such improvements related to development milestones. A new 12-inch water line is required to serve Alpine and Northern Town Center. The existing 14-inch sewer interceptor present on the south side of Lake Liganore will be enlarged to 18 and 21 inches to accommodate the flows from future development in the Liganore Town Center, Alpine and the adjacent RESCO property.

Other infrastructure required for the Lake Liganore PUD include two (2) water booster pump symbols [Alpine, Aspen Villages], an elevated water storage tank [Alpine Village], plus new and replacement sewer lines and interceptors on the Water and Sewer Map (see attached graphic for location information).

STAFF RECOMMENDATION:

The subject properties are designated Low Density Residential and located within a community growth area and a water and sewer service area. Infrastructure symbols are indicated for approved development, as indicated by the Comprehensive Plan. Staff recommends the Planning Commission make a finding of consistency with the County Comprehensive Plan for Case WS-13-10.





WATER & SEWERAGE PLAN AMENDMENTS
Summer 2013 Cycle

STAFF REPORT

Case # WS-13-11

APPLICANT: Oakdale Investments, LLC

REQUEST: To reclassify 249 acres from Planned Service (PS) to W-4/Dev., S-4/Dev. for Hamptons East and West.

LOCATION: North side of Lake Linganore, north and south sides of Gas House Pike in the Hamptons East and Hamptons West Villages (Tax Map 69, Parcels 68, 52, 169, 26. Property ID# 13-296049, 13-298130, 13-307415, 13-307407 and 27-519253)

BACKGROUND:

Comprehensive Plan — The properties are designated Low Density Residential and Natural Resource on the County Comprehensive Plan.

Zoning — Planned Unit Development (PUD)

Development Status — The 2012 revisions to the 2010 County Comprehensive Plan included the application of a Low Density Residential (LDR) land use plan designation to the subject properties, with the exception of the large floodplain areas along Linganore Creek that remain Natural Resource on the Comprehensive Plan.

The subject properties were granted Phase I Planned Unit Development (PUD) approval by the Board of County Commissioners (BOCC) on June 18, 2013 for development of up to 885 residential units, as part of case R-12-01 which rezoned 950 acres from Resource Conservation and Agricultural to PUD. An accompanying Development Rights and Responsibilities Agreement (DRRA) was approved by the BOCC for this particular area as well as the entire portion of the Lake Linganore project that remains undeveloped. Adequate Public Facilities Ordinance (APFO) approval was also obtained in conjunction with the DRRA for the entire Lake Linganore project.

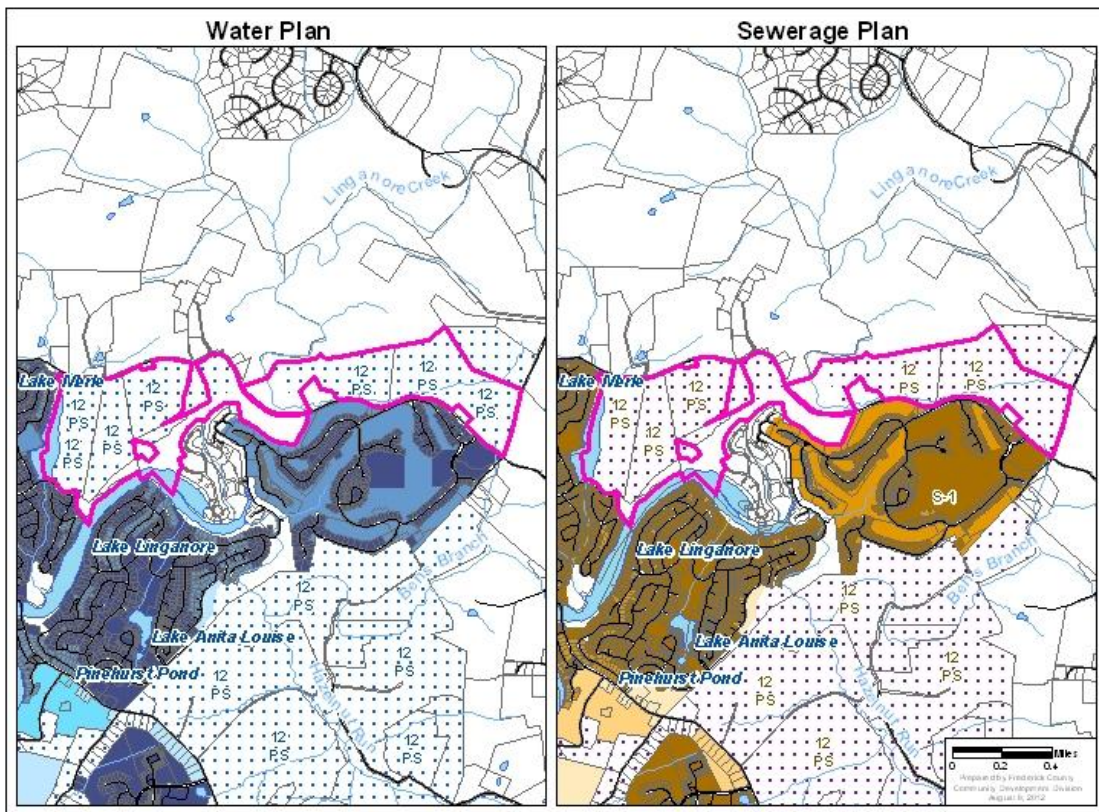
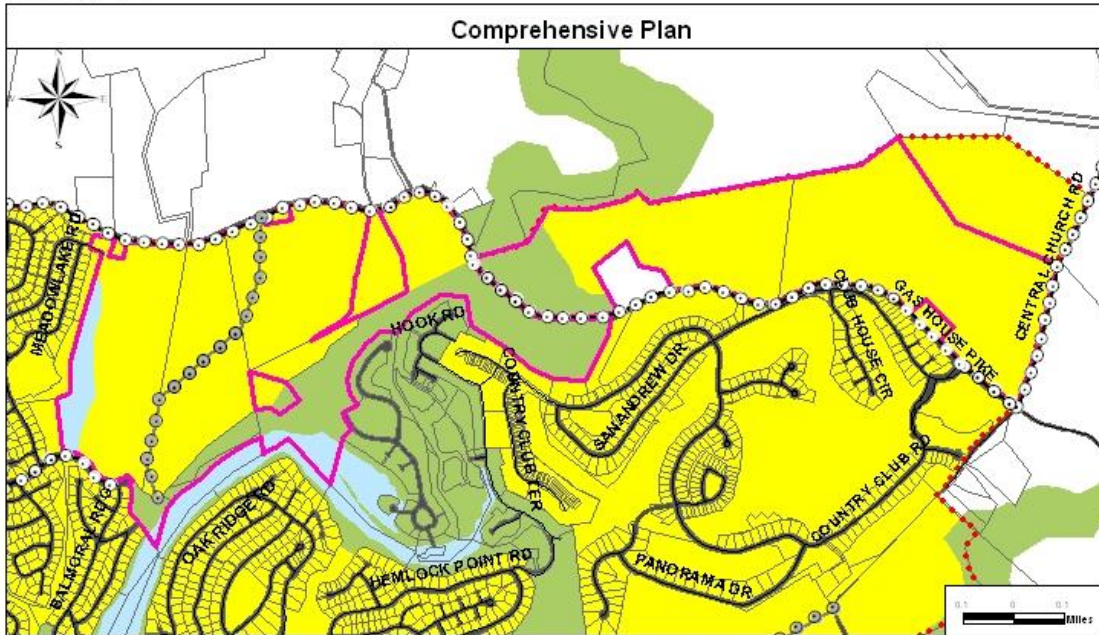
Water & Sewerage Plan Status — As part of the 2012 revisions to the County Comprehensive Plan, the accompanying water and sewer classification on the subject properties was changed from No Planned Service (NPS) to Planned Service (PS) to reflect the application of the LDR land use plan designation. Staff notes that the floodplain areas along Linganore Creek remain No Planned Service due to its land use designation of Natural Resource (and Open Space on the

PUD Phase I Concept Plan) and is not included in the amendment request.

Significant infrastructure is required to provide public water and sewer service to Hamptons East and Hamptons West, as well as the remaining lands approved for development in the Linganore PUD. These specific improvements are described in detail within the DRRA and APFO Letter of Understanding, including the sequencing of such improvements related to development milestones. A 12-inch water line will be extended from the current terminus of Eaglehead Drive at the Balmoral Village and connect to the existing water line in the Westwinds Village and will serve the future Hamptons East and West Villages. Multiple upgrades to existing sewer infrastructure are required for the development planned in Hamptons East and West and is depicted on the infrastructure map accompanying WS-13-10.

STAFF RECOMMENDATION:

The subject properties are designated Low Density Residential and located within a community growth area and a water and sewer service area. Staff recommends the Planning Commission make a finding of consistency with the County Comprehensive Plan for Case WS-13-11.



WATER & SEWERAGE PLAN AMENDMENTS
Summer 2013 Cycle

STAFF REPORT

Case # WS-13-12

APPLICANT: Oakdale Investments, LLC

REQUEST: To reclassify 318 acres from Planned Service (PS) to W-4/Dev., S-4/Dev. in Woodridge and Westridge

LOCATION: South side of Gas House Pike on both sides of Linganore Road in the Woodridge and Westridge Villages Lake of the Lake Linganore PUD. (Tax Map 68, Parcels 36, 35, 14. Property ID# 27-519121, 13-301212, 13-301247)

BACKGROUND:

Comprehensive Plan — The properties are designated Low Density Residential on the County Comprehensive Plan.

Zoning — Planned Unit Development (PUD)

Development Status — The 2012 revisions to the 2010 County Comprehensive Plan included the application of a Low Density Residential (LDR) land use plan designation to the subject properties on the Comprehensive Plan.

The subject properties were granted Phase I Planned Unit Development (PUD) approval by the Board of County Commissioners (BOCC) on June 18, 2013 for development of up to 550 residential units, as part of case R-12-01 which rezoned 950 acres from Resource Conservation and Agricultural to PUD. An accompanying Development Rights and Responsibilities Agreement (DRRA) was approved by the BOCC for this particular area as well as the entire portion of the Lake Linganore project that remains undeveloped. Adequate Public Facilities Ordinance (APFO) approval was also obtained in conjunction with the DRRA for the entire Lake Linganore project.

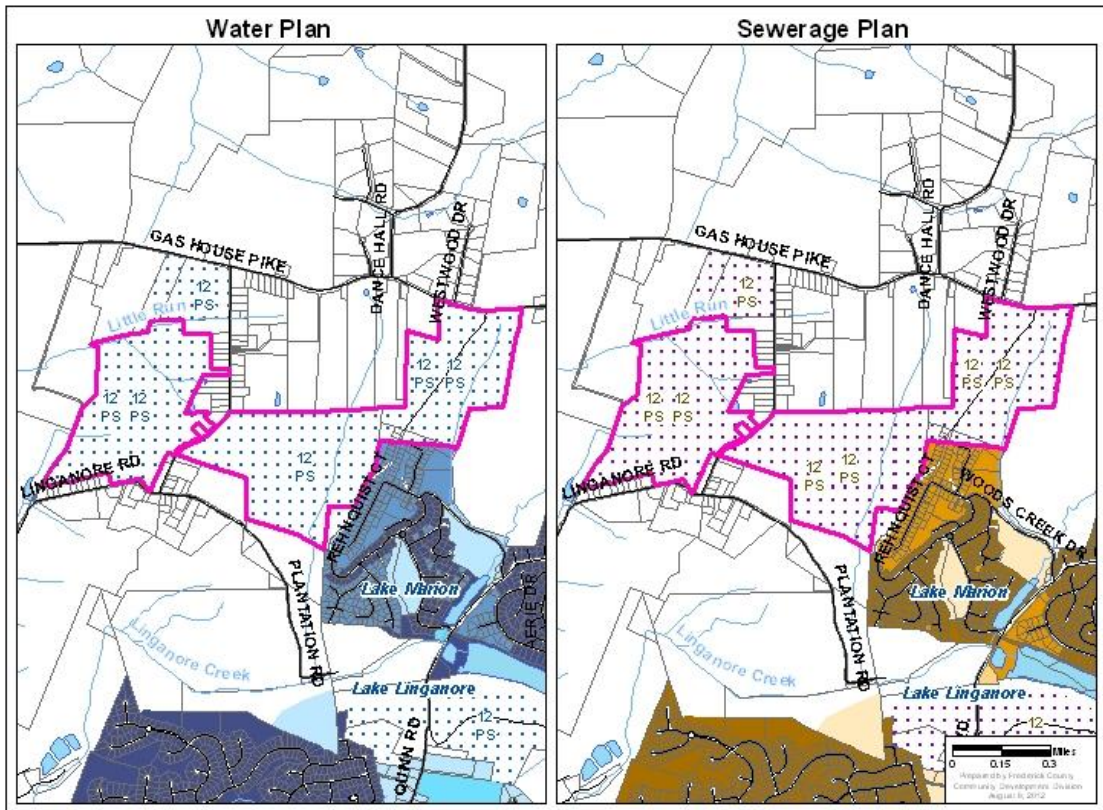
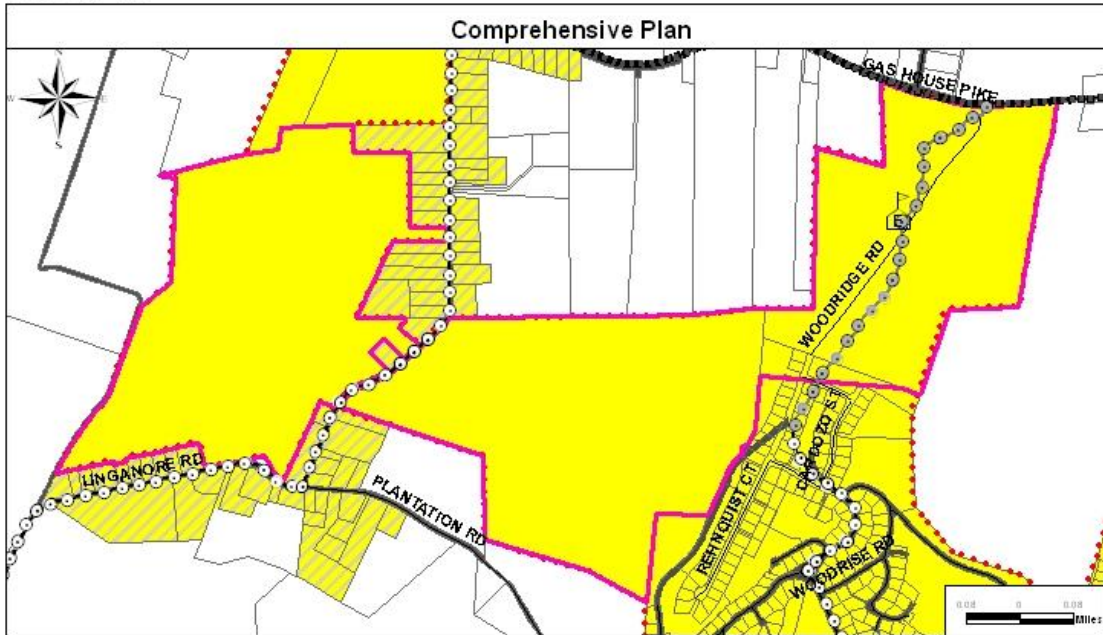
Water & Sewerage Plan Status — As part of the 2012 revisions to the County Comprehensive Plan, the accompanying water and sewer classification on the subject properties was changed from No Planned Service (NPS) to Planned Service (PS) to reflect the application of the LDR land use plan designation.

Significant infrastructure is required to provide public water and sewer service to Woodridge and Westridge, as well as the remaining lands approved for development in the Linganore PUD. These specific improvements are described in detail within the DRRA and APFO Letter of Understanding, including the sequencing of such improvements related to development

milestones. The existing 12-inch water line, on Woodridge Road and Woodland Road currently serving the Woodridge Village, will be extended and looped to serve additional development in Woodridge and Westridge. Ultimately, the water infrastructure serving Alpine, Aspen, Woodridge and Westridge will be interconnected and utilize the future water storage tank in the Alpine Village. Wastewater conveyance will include the construction of new sewer mains to serve the future development in Westridge and Woodridge as well as the previously described enlargements of existing sewer interceptors along Lake Linganore to 21 and 27 inches.

STAFF RECOMMENDATION:

The subject properties are designated Low Density Residential and located within a community growth area and a water and sewer service area. Staff recommends the Planning Commission make a finding of consistency with the County Comprehensive Plan for Case WS-13-12.



WATER & SEWERAGE PLAN AMENDMENTS
Summer 2013 Cycle

STAFF REPORT

Case # WS-13-13

APPLICANT: Crum Farm Land Development, LLC/Crum Farm Commercial Development, LLC

REQUEST: To reclassify 265 acres from No Planned Service (NPS) to W-5/Dev., S-5/Dev.

LOCATION: Properties (5) bordering Willow Road, Willowbrook Road and Bloomfield Road within the City of Frederick. (Tax Map 48, Parcels 17, 190; Tax Map 57, Parcels 102, 105, 10. Property ID# 21-411523, 21-411515, 21-408603, 21-411507, 21-420093, 02-466406)

BACKGROUND:

Comprehensive Plan — The subject properties are located within the City’s “Third Tier Growth Area” and described in the Land Use Element of the City’s Comprehensive Plan as lands for future, long-term annexation and development potential. The properties are shown on the City’s 2010 Comprehensive Plan as “Areas of Interest” and have not yet been assigned a land use designation through a Plan update or amendment. Parcel 10 on the south side of Willow Road is designated Mixed Use on the City’s 2010 Plan.

Zoning — MU-1, Mixed Use (City of Frederick Zoning)

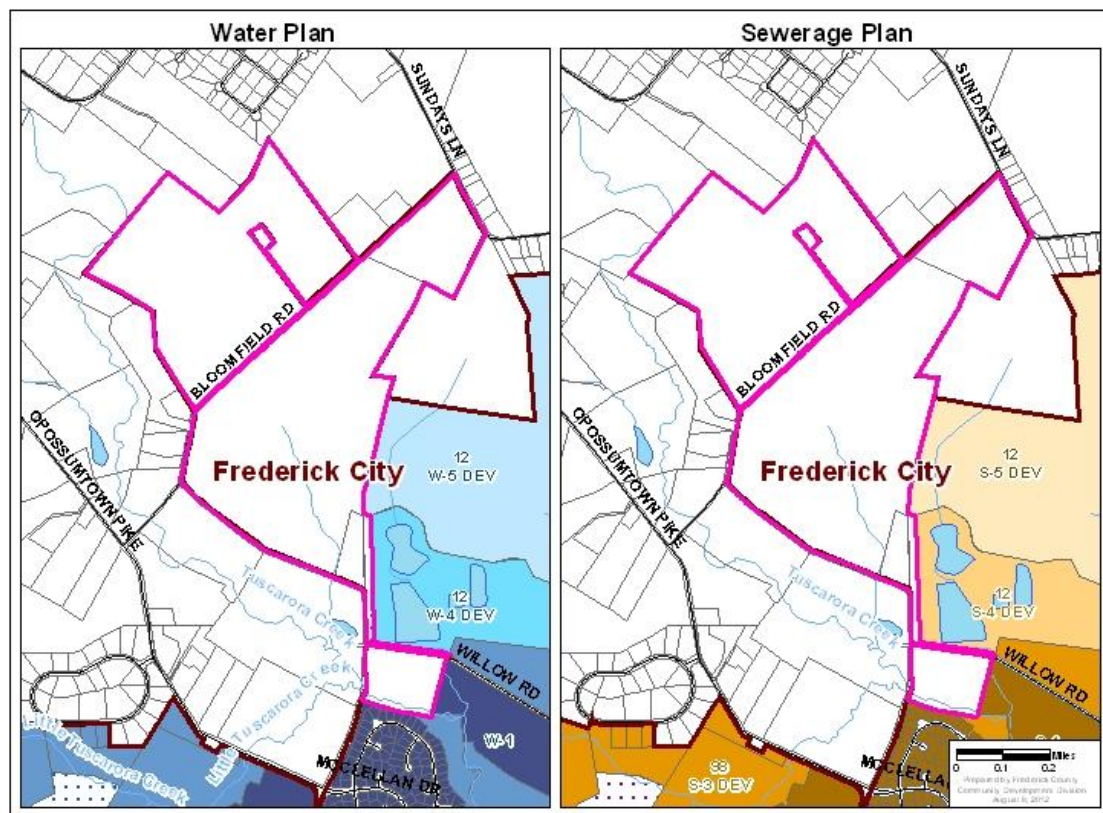
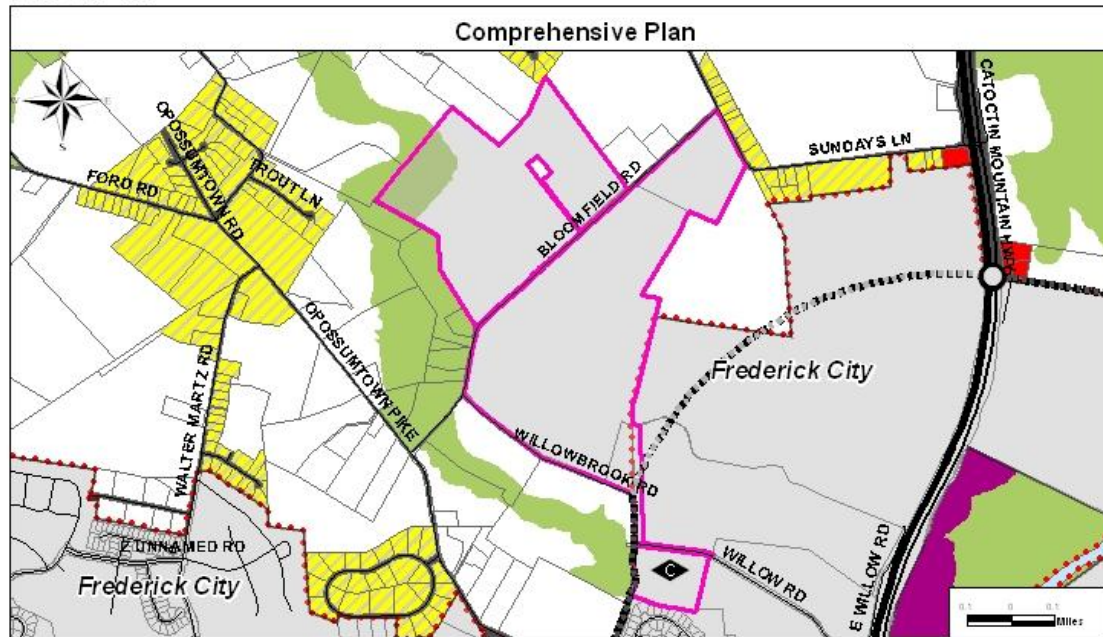
Development Status — The majority of the subject properties were annexed into the City on September 6, 2012 through Resolution 12-30. Parcel 10 (12 acres) on the south side of Willow Road was annexed in 2009 (Resolution 9-18). An application for development of 1,200 (all-age) residential units, commercial and employment uses plus an elementary school has been submitted to the City for initial public hearing in the fall of 2013.

Water & Sewerage Plan Status — The City and County are amending their joint Potomac River Water Supply Agreement (PRWSA) for allocation of water from the County to the City and plan to include the subject parcels (2012 annexation parcels) within the formal PRWSA service boundary. The City references this fact in a letter dated July 24, 2013 to the Applicant’s agent and states, “.....development of the property shall utilize the same water capacity allocated by the PRWSA and referenced in Resolution 9-18 for the development of the prior Crum annexation property, and shall not require or utilize any additional water capacity beyond that which was allocated by the PRWSA and approved by the City in Resolution 9-18 for the development of the prior Crum annexation.” The City further states in the July 24, 2013 letter that there is sufficient potable water supply for allocation to this project to recommend approval of the water designation change to W-5.

Sewer treatment and conveyance capacity is currently limited for the subject properties pending completion of the Ballenger-McKinney Wastewater Treatment Plant expansion and the upgrades to the Monocacy Interceptor and Ceresville Pump Station components of the wastewater systems. These infrastructure capacity improvements are programmed for completion within the 7—10 year time frame, as required for a ‘5’ classification.

STAFF RECOMMENDATION:

The subject properties are located within a municipality and sufficient capacity is planned in the water and sewer system to serve the properties. Staff recommends the Planning Commission make a finding of consistency with the City Comprehensive Plan for Case WS-13-13.



SUMMER 2013 CYCLE OF WATER AND SEWERAGE PLAN AMENDMENTS

Case WS-13-06, Update of County Water and Sewer Infrastructure Map

Deletions from the Water and Sewer Map reflect facilities never constructed or facilities/infrastructure determined to be not required components of the water and sewer system due to changes in Community Growth Areas, land use designations on the County Comprehensive Plan or municipal plans, system integration, or to simply address historical inaccuracies on the maps.

Additions to the Water and Sewer Map address future infrastructure or capacity needs indicated by the County Comprehensive Plan or municipal plans or prior facilities/infrastructure not adequately depicted on the maps.

Water Map Additions, Deletions, Changes

Thurmont Region

Additions

- Multi-Use symbol and well symbol for existing Summit Lake Camp, Eylers Valley Road
- Reservoir symbol for existing Town of Emmitsburg facility
- 10-inch water line from Town of Emmitsburg treatment plant
- Well symbols on existing Multi-Use systems at Camp David/US Naval Facilities
- Multi-Use symbol on Cunningham Falls State Park Manor Area, west side US 15 south of Thurmont
- Well symbol on existing Redland Brick Multi-Use system, Rocky Ridge Road

Deletions

- Planned water tank and treatment plant symbols from Franklinville Road area. This area no longer in Town of Thurmont's annexation area.

Walkersville Region

Additions

- Pump station symbol to reflect current condition in Woodsboro
- Well symbol on existing Multi-Use system for 'Life in Jesus' Center, Clemsonville Road
- Planned ground storage tank symbol in Libertytown
- Two (2) planned well symbols in Libertytown
- Well symbol for existing Multi-Use system at Liberty Elementary School, Libertytown
- Planned water treatment plant symbol in Libertytown (new location to replace deleted symbol described below)
- Planned elevated storage tank symbol in Libertytown (new location to replace deleted symbol described below)

Water Map Additions, Deletions, Changes

Walkersville Region (continued)

Deletions

- Planned water treatment plant symbol in Libertytown (existing location deleted & replaced with new location indicated above)
- Planned elevated storage tank symbol in Libertytown (existing location deleted & replaced with new location indicated above)
- Elevated storage tank symbol in Libertytown
- Planned water treatment plant symbol in Libertytown
- Wells, springs, and pumping station symbols from old water source on Chestnut Grove for Town Walkersville (decommissioned and out of use)
- Planned elevated storage tank symbol in Woodsboro

Frederick Region

Additions

- Multi-Use symbol and well symbol on Lewistown Elementary School and Fire Station
- Well symbols on existing Multi-Use systems at Four Square Gospel Church, Springview Mobile Home Park, Gilberts Mobile Home Park, all located on MD 180, Jefferson Pike
- Well symbol on White Rock Sub-Regional System to reflect current conditions
- Multi-Use symbol and well symbol on Gambrill State Park facilities
- Reservoir symbol for the City of Frederick's existing Fishing Creek Reservoir water supply
- 18-inch and 12-inch water lines from the City of Frederick's Fishing Creek Reservoir system
- Planned elevated storage tank symbol—NW boundary of the City of Frederick
- Planned elevated storage tank symbol—Willowbrook Road in the City of Frederick
- Planned elevated storage tank symbol—Hayward Road in the City of Frederick

Deletions

- Three (3) elevated storage tanks west of Frederick City. Areas not in City's annexation area and not in County Community Growth Area nor in Water Service Area
- Reservoir symbol and associated 12-inch line for City of Frederick's decommissioned Tuscarora Creek system no longer in use

Middletown Region

Additions

- Well symbol on existing Multi-Use system at South Mountain Inn, Old National Pike at Dahlgren Road
- 3-inch raw water line from Town of Myersville wells west of Pleasant Walk Road to the Town's treatment plant

Deletions

- Spring symbol for Town of Middletown on the east side of Hawbottom Road

Water Map Additions, Deletions, Changes

Middletown Region (continued)

Deletions

- Well, spring, reservoir, pump station symbols from Braddock Heights (not in use nor connected to any County distribution system)
- Planned elevated storage tank in southern Braddock Heights (not needed for this portion of service area)
- Two (2) existing ground storage tank symbols from the west side of Ridge Road, north of US 40-A (tanks removed in 2000)

Brunswick Region

Additions

- Five (5) existing well symbols in Jefferson (Woodbourne Manor)
- Well symbol to existing Multi-Use system for Valley Elementary School, Jefferson
- Well symbol to existing Multi-Use system for Concord Mobile Home Park, Jefferson
- Well symbol to existing Multi-Use system for Rocky Bend Mobile Home Park, Jefferson
- Well symbol to existing Multi-Use system for Jefferson School (Shepherd Pratt), Point of Rocks Road at Horine Road
- Multi-Use symbol and well symbol on Mar-Lu-Ridge Conference and Education Center, Mountville Road
- 16-inch and 8-inch water lines in the City of Brunswick
- Existing booster pump station symbol in the City of Brunswick to reflect current conditions

Deletions

- Existing well symbol in C/O Canal Park, near Lander Road (not a County facility)
- Existing well, spring and treatment plant symbols from the portion of the map that depicts Washington County

Changes

- Relocated the planned elevated storage tank in Jefferson (Woodbourne Manor)

Adamstown Region

Additions

- Well symbol to existing Multi-Use system for Bishop Claggett Episcopal Church Facility, Buckeystown Pike
- Well symbol to existing Multi-Use system for St. John's property, Buckeystown Pike

Deletions

- Existing spring symbol, west side of MD 85 in Buckeystown (not part of public supply)
- Two (2) ground storage tank symbols and one (2) well symbols in the vicinity of Wedgewood Boulevard and English Muffin Way to reflect current conditions

Water Map Additions, Deletions, Changes

Adamstown Region (continued)

Deletions

- Existing 24 inch water line from the Potomac River to southern edge of Ballenger Community Growth Area is now a dry line for a future, additional Ballenger-McKinney WWTP outfall and/or Waste-to-Energy Plant outfall (depicted on sewer map)

Urbana Region

Additions

- 20 inch water line within Urbana Community Growth Area
- Well symbol to existing Multi-Use system for AT&T facility, MD 80, east of Ed McClain Road
- Multi-Use symbol and well symbol to Green Valley Shopping Center, MD 80 at Lynn Burke Road
- Existing ground storage tank symbol in the Windsor Knolls Sub-Regional Water system to reflect current conditions
- Planned ground storage tank symbol in the Windsor Knolls Sub-Regional Water system
- Three (3) planned wells on the “Horan” property, adjacent to the Windsor Knolls Sub-Regional Water System

New Market Region

Additions

- Planned booster pump station, south side of Lake Linganore
- Planned elevated storage tank, south side of Lake Linganore

Deletions

- Well symbol and pump station symbol from the vicinity of Pinecliff Drive and Old National Pike. Area connected to regional water system.
- Existing and planned storage tank symbols removed from the portion of the map that depicts Carroll County

Changes

- Ground level storage tank symbol removed and replaced with existing elevated storage tank symbol to reflect current conditions in the vicinity of the Monocacy River and Reichs Ford Road

SUMMER 2013 CYCLE OF WATER AND SEWERAGE PLAN AMENDMENTS

Case WS-13-06, Update of County Water and Sewer Infrastructure Map

Sewer Map Additions, Deletions, Changes

Thurmont Region

Deletions

- Discharge point symbol on Mason-Dixon Line, west of Emmitsburg. No known/documented system in area
- Planned treatment plant NE of the Town of Thurmont. This area no longer in Town's annexation area/growth area.
- Discharge point symbol within Town of Thurmont to reflect current conditions

Walkersville Region

Deletions

- Three (3) discharge point symbols north and south of the Town of Woodsboro. Associated with quarry NPDES permits, not sewage.
- Discharge point symbol and treatment plant symbol in Libertytown to reflect decommissioning of old WWTP. Replaced by conveyance line to Linganore collection system.

Frederick Region

Deletions

- Discharge point symbol on Baugher Road, west side of US 15. No known/documented system in area

Brunswick Region

Additions

- Multi-Use symbol to Shepherd Pratt-Jefferson School, Point of Rocks Road
- Existing treatment plant symbol on existing Multi-Use system for Concord Mobil Home Park, MD 180, Jefferson

Adamstown Region

Additions

- Existing treatment plant symbol for Multi-Use system at Claggett Retreat Center, MD 80 south of Buckeystown

Sewer Map Additions, Deletions, Changes

Urbana Region

Additions

- Multi-Use symbol for Green Valley Shopping Center, MD 80 at Lynn Burke Road
- Existing treatment plant symbol and discharge point symbol for Kemptown Elementary School and Kemptown Park, Kemptown Church Road
- Existing pump station symbol, Urbana Corporate Center

Deletions

- Existing treatment plant symbol for Urbana High School. Now connected to Regional sewer system

New Market Region

Additions

- Existing pump station symbol in Summerfield Village, west side of Boyers Mill Road at Finn Drive to reflect current conditions
- Replacement 21-inch and 18-inch sewer interceptors on the south side of Lake Linganore
- Planned 18-inch sewer line to serve Hamptons Village, Lake Linganore

Deletions

- Existing treatment plant symbol, west side of Quinn Road, south of Lake Linganore to reflect current conditions
- Planned treatment plant symbol at I-70 rest stop, west of Mt. Airy
- Existing treatment plant symbol at Reichs Ford Road landfill. Leachate now conveyed to Ballenger-McKinney WWTP